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AT SEATTLE  
CLERK U.S. DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
DEPUTY

The Honorable Marsha J. Pechman



03-CV-02620-ORD

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

AMAZON.COM, INC., a Delaware  
corporation,

Plaintiff,

v.

CYBERPOWER PTY, LTD., a foreign  
corporation, LEONID "LEO" RADVINSKY,  
an individual, ACTIVSOFT, INC., an Illinois  
corporation, and JOHN DOES 3-20,

Defendants.

No. C03-2620P

ORDER GRANTING PARTIES'  
STIPULATED PERMANENT  
INJUNCTION

Plaintiff Amazon.com ("Amazon.com") and defendants Leonid "Leo" Radvinsky and  
ActivSoft, Inc. (collectively "defendants") have entered into a binding Settlement Agreement  
resolving all claims against defendants arising out of the actions alleged in Amazon.com's First  
Complaint for Damages and Injunction in this matter, and have stipulated to the entry of this  
Permanent Injunction in favor of Amazon.com against defendants.

Based on the Stipulation of the parties, it is hereby ORDERED as follows:

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ORDER GRANTING PARTIES STIPULATED  
PERMANENT INJUNCTION - 1  
CASE NO. C03-2620P

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Exhibit A

PRESTON GATES & ELLIS LLP  
701 FIFTH AVENUE  
SUITE 3000  
SEATTLE, WASHINGTON 98104-2078  
TELEPHONE (206) 621-7580  
FACSIMILE (206) 621-7022

ORDER

Defendants along with their directors, principals, officers, agents, servants, employees, representatives, successors and assigns, and all those persons or entities acting in concert or participation with them, shall be and hereby are PERMANENTLY ENJOINED and restrained from:

a. sending or transmitting, or directing, aiding, facilitating or conspiring with others to send or transmit, any electronic mail messages, or any electronic communication of any kind, that uses or incorporates "amazon.com" or any other Amazon.com trademark in those messages, unless specifically authorized by Amazon.com; and

b. sending or transmitting, or directing, aiding, or conspiring, with others to send or transmit, electronic mail messages, or any other electronic communications of any kind, bearing "amazon.com" or any other Amazon.com trademark, in the origination or return information of those messages, unless specifically authorized by Amazon.com.

ORDER GRANTED this 14 <sup>April</sup> day of ~~March~~, 2005.

  
The Honorable Martha J. Pechman

Presented by:

PRESTON GATES & ELLIS LLP

By /s/ Robert J. Dzielak  
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Attorneys for Plaintiff  
Amazon.com, Inc.

ORDER GRANTING PARTIES STIPULATED  
PERMANENT INJUNCTION - 2  
CASE NO. C03-2620P

KM0741160053R\JDR\JD\_P22AO

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